

October 22, 1999

Ms. Cheryl Adelman  
U.S. Environmental Protection Agency  
2000 Travenwood Drive  
Ann Arbor, MI 48105-2425

Dear Ms. Adelman:

Thank you for the opportunity to review the latest draft outline of the service information availability revisions now under consideration by the Agency. The following comments are supported by the organizations listed below:

**Automotive Aftermarket Industry Association**  
**Automotive Engine Rebuilders Association**  
**Automotive Parts Rebuilders Association**  
**Automotive Service Association**  
**Automotive Warehouse Distributors Association**  
**Heavy Vehicle Maintenance Group**  
**Motor and Equipment Manufacturers Association**  
**Specialty Equipment Market Association**

At the outset, we would like to express our strong support for the revisions outlined in your August draft. If implemented, these changes would go a long way toward improving access to both the service information and the tools necessary to repair today's highly sophisticated emissions systems. Despite the success of the current regulations in improving the resources available, many advanced tools and critical service information are still not reaching aftermarket service providers. The problems appear to fall into three categories:

information is available, but cannot be found;

information or tools are priced too high for most independent small businesses; or

information and tools are simply not made available to the aftermarket.

The aftermarket associations believe that an updating and "fine tuning" of the regulations, as you have provided in your outline, combined with improved enforcement efforts by the Agency toward those companies that are skirting the law, will translate into improved access to service information by independent repair facilities. Of course, the big beneficiary will be both the consumer and the environment. If car owners can continue to obtain affordable repairs that are available through a competitive repair industry, they will better maintain their vehicles, resulting in reduced in-use emissions from motor vehicles.

The following are comments and suggestions regarding the August draft that the aftermarket

believes could further improve the effectiveness of the regulations.

### **Web Site Requirement**

The aftermarket fully supports a requirement that service information and training be available over car company web sites. There is little disagreement that FedWorld has not been an effective method for ensuring quick and effective access by our industry to emissions related service information. Further, once information is located, technicians often find it difficult to actually acquire the information or tool in question from the car company. If for no other reason, the service information regulations need to be updated to take advantage of advances in technology that were not readily available when this rule was first promulgated.

In order to stay competitive, technicians must be able to quickly locate and obtain the information they need when they need it and without the need to shuffle through a lot of information they don't need. The Internet is an affordable way to meet these needs. Further, improvements to technology have made the web accessible to nearly everyone with little regard to their economic resources or location.

### **J2008**

Notwithstanding the above, the Agency should not lose sight of the problems that occurred with FedWorld. Mainly, the difficulties that the aftermarket encountered in accessing and using FedWorld for locating desired information. While a web site requirement holds many advantages over FedWorld, those advantages will only be realized if the sites are easily navigable. Clearly, unless sufficient oversight is placed over the development of these web sites by the Agency, the access to this information could be sufficiently difficult to force technicians, already under significant time constraints, to abandon the search for information.

Therefore, we are concerned that the Agency is suggesting that J 2008 not be adopted. We believe that J 2008 could be extremely helpful toward ensuring that aftermarket service providers can quickly navigate web sites and locate the information they need. Absent J 2008 or a similar type of standard, those that don't work with a particular web site on a frequent basis will find it difficult to determine how the manufacturers have filed the information in each individual site.

Establishment of a single standard would ensure that each web site could be searched in virtually the same way, thus reducing the time and frustration that users would encounter in locating and retrieving information over the web. While there might be some initial start up expenses for the vehicle manufacturers to convert to the J2008 format; in the long run, a single filing standard should be a cost savings. Manufacturers will no longer need to expend extensive research and development costs in order to develop their own proprietary web file system. In addition, such a requirement would be consistent with California's mandate that car companies adopt the 2008 standard by 2002.

### **Model Years To Be Included**

Based on the fact that aftermarket facilities typically see cars after the warranty has expired and are the primary (and sometimes the only) facilities available to fix emissions related problems in these vehicles, we would support the availability of service information as far back as possible. At minimum, we would suggest that the compliance date for availability of service information over the Internet be established at the 1994 model year or when the particular manufacturer began making information available to their dealers electronically, whichever is earlier. This should minimize the burden on the car companies toward meeting the Internet requirement while ensuring quick access to critical service information.

### **Information To Be Included**

We fully support the provisions of the outline that specify the types of information that would need to be included in manufacturers web sites. Each item listed is critical to proper maintenance and repair of late model vehicles. We urge EPA to broadly interpret these categories so that no critical information is withheld.

### **Additions, Deletions, Corrections, Weekly**

The aftermarket groups would support Friday as the best day for the page to be updated. This would ensure that at the beginning of the following week, normally the busiest for a repair shop, that all information would be current.

### **Home Page**

We strongly urge you to continue to require that access to information on a web site be available to everyone. Further, to ensure affordable access by the independent technicians, the aftermarket groups request that the associations have ability to make access available through their own web sites. Through consolidation of access to multiple manufacturers' sites, association should be able to minimize costs to their members. We see no reason why it would not be possible to work out an agreement that would ensure that the costs to the car company of developing and maintaining this site are covered.

### **Reasonable Cost**

Reasonable cost for access by independent providers to the web site is an issue of major concern to our groups. One of the major problems still existing for the service technician is the ability to afford the extensive amount of information necessary to stay competitive. Therefore, the rule should mandate flexible access options, including the ability either to access a site on a one-time basis, or to obtain a subscription that provides for regular access. Since the cost to a manufacturer for access to its web site is relatively small, the costs passed on also should be small. The reason for the site is to promote availability. Imposing large fees for access or use will only discourage use of the site and result in many poorly performed repairs. A key benefit of the web is that the amount of access can be easily and cost effectively customized based on the needs of the user. We do not believe that a manufacturer should make a profit on the site.

### **Establish and Maintain Own Web Site or Contract with Third Party**

The use of a web site should make compliance easier both for manufacturers and EPA enforcement personnel since all the information required to be made available can be found in one place. However, the regulations should clarify who is responsible for implementation of the rule. While we are certain that the car companies will rely on contractors in some cases to fulfill the requirements in these regulations, the ultimate responsibility for the proper implementation of the rule's requirement must continue to lie with the manufacturer. To do otherwise, would mean an enforcement nightmare for the Agency and a continued effort to skirt the law by some of the vehicle manufacturers.

### **Web Site Performance**

The aftermarket groups support most of the provisions in the summary. However, as we stated at the outset of these comments, we would like to see a standardized format for finding the information. Further, we believe that the information should be accessible by OEM part number, as well as by key words and phrases. Often, the service technician has the part number and needs to determine how to install or to troubleshoot the repair. We do not believe that such a requirement would be difficult to meet for most vehicle manufacturers.

### **Web Site Assessment**

The aftermarket groups support review of the web sites by aftermarket users with the caveat that the reviewers represent a broad spectrum of technicians and other users. Our concern is that EPA will utilize the most skilled technicians or those with extensive web experience rather than a group that represents the divergent knowledge levels and computer skills that are held by aftermarket providers in general.

### **Training Availability**

The aftermarket groups strongly recommend the adoption of the training availability provisions outlined in the draft. A great deal of information that is made available to dealer technicians is obtained solely through training that is only made available to the new car dealers. Often this is information that is directed at implementing many of the most difficult repairs. By making training easily accessible to independents over the Internet, they will have convenient and quick access to information that could be critical to repairing vehicles.

### **Covered Parts Lists**

The aftermarket groups are concerned that including a list of parts to be covered by this rule could serve to limit access to critical service information. As EPA is well aware, items on today's vehicles from rear defrosters to gas caps can have an impact on the OBD II system and emissions. Limiting access to service information that is not directly emissions related could prevent disclosure of important information necessary to ensure the proper repair of an emissions related fault or to extinguish a malfunction indicator light. Therefore, while we would support some clarifications as to the range of information that must be made available, the aftermarket opposes a definitive parts list that might inadvertently omit parts or systems affecting emissions or the OBD system.

Further, since technology is rapidly evolving, we are concerned that many newly introduced technologies might not be on the list and therefore be excluded for information purposes. Although EPA could update this list, such action normally takes far too long and important information could be withheld in the meantime. Finally, due to the interrelationship of the OBD system with many other systems on the vehicle, we continue to believe that the law requires covering any part or component that could have an impact on emissions or cause the illumination of the malfunction indicator light.

### **Standardized Reprogramming Platform:**

We urge that the black box requirement be applicable to all vehicles that utilize reprogrammable systems. Not coincidentally, many of the first OBD II equipped cars have also been subject to the most car company ordered program updates. This is due to the relative inexperience of vehicle manufacturers in designing these sophisticated systems. Therefore, requiring a standardized passthrough also would provide the most benefit to consumers and independents with the early OBD II equipped model years.

### **Generic and Enhanced Information**

We support the provisions regarding generic and enhanced information. Some car companies have attempted to get around current rules that require either the enhanced tool or that the information be provided to a aftermarket tool supplier by only making the proprietary tool available, but at a cost that is beyond the budget of most shops. The best way to eliminate this problem and ensure all shops have access to these critical tools is to eliminate this loophole and mandate that both the tool and the information necessary to include enhanced capabilities be made available.

However we are concerned based on past experience that car companies might attempt to "decontent" tools or only include on the tool information that the car company determines is emissions related. In other words, they may try to do the least that they believe will avoid non-compliance. If this occurs, information necessary for many repairs will not be provided. We further urge that the read out on the system be useable without the need for any code book or special tools. This is specifically addressed in Section 202(m)(4) of the Clean Air Act.

### **Service Information Rules for Heavy Duty Vehicles:**

The aftermarket groups support requiring that service information for heavy duty vehicles be made available under at the same availability rules applicable for light duty vehicles. In fact, the Clean Air Act does not distinguish between the passenger motor vehicles and heavy duty vehicles. Just like light duty vehicles, the availability of information for heavy duty vehicles is critical if service providers not employed or contracted by the manufacturers are to be able to maintain the emissions equipment on these trucks that will soon be equipped with these OBD II systems.

### **CAN**

Although aftermarket groups are not opposing the use of CAN at this time, we are concerned that technicians will need to shoulder extensive costs to upgrade their scan tools in order to meet the new standard. While there will be several improvements to the scan tools based on the adoption of CAN, should the car companies once again determine to change standards within the near future, the costs to the independent service facilities could be huge. We fully support advancement, but the Agency must remember that without a huge improvement in efficiency as a result of the upgrade, the costs could outweigh the benefits to the consumer and the service technician. We strongly urge the Agency to resist further changing this technology on a frequent basis absent strong evidence of vehicle service benefits.

In conclusion, the aftermarket groups greatly appreciate the efforts of the Agency to improve and update the current service information rules. We would be very happy to meet with you to further discuss the rule and the comments we have submitted. Please also feel free to contact any of the organizations listed below should you have any questions or comments.

Sincerely,

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